

REMARKS

Claims 1-16 are pending in the application for the Examiner's review and consideration. Claim 1 was amended to more clearly recite the invention.

ALLOWABLE SUBJECT MATTER

Applicants wish to thank the Examiner for allowing claims 12-15. Further, claim 16 has been rewritten in independent form to include all of the limitations of claim 1 and should now be allowable. Additionally, dependent claims 17-26 have been added to more clearly recite the invention. These claims depend from claim 16 and should also be allowable, as they contain no new matter.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-10 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 6,001,821 to Pitha ("Pitha") and Patent Abstracts of Japan, Pub. No. 03284616 to Kenzo ("Kenzo"). Applicants respectfully traverse and obviate the rejection.

On page 4 of the Office Action, it is alleged that the present invention is anticipated by Pitha and Kenzo. As the Examiner is no doubt aware, to anticipate a claim, each and every element of the claim must be disclosed in a single prior art reference. Neither Pitha nor Kenzo discloses each and every limitation of the present invention. Specifically, neither Pitha nor Kenzo discloses a composition for capturing unwanted molecules, said composition comprising low-degree of substitution cyclodextrin derivative and a perfume material.

Claim 1, as amended, discloses a composition for capturing unwanted molecules, said composition comprising low-degree of substitution cyclodextrin derivative and a perfume material. These compositions are disclosed by the specification as filed. *See, e.g.*, Specification, page 3, lines 16-19, and page 30, line 2 to page 36, line 24. Neither Pitha nor Kenzo disclose a perfume material. Thus, neither Pitha nor Kenzo discloses each and every limitation of the claim. Because each and every element of the claim has not been disclosed in a single prior art reference, Applicants respectfully request that the rejection made under 35 U.S.C. §102(b) be reconsidered and withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claim 11 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Pitha in combination with U.S. Patent No. 5,668,097 to Trinh *et al.* ("Trinh"). Applicants respectfully traverse the rejection.

The Office Action alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Pitha and Trinh to make a composition comprising mixtures of cyclodextrin derivatives as instantly claimed. Applicants respectfully submit that Pitha in combination with Trinh does not disclose or suggest each and every limitation of the present invention.

As the Office Action suggests, Pitha discloses compositions wherein at least 10% of the cyclodextrins moieties contain at least one substituted or unsubstituted 1,4-dioxane ring fused to the glucopyranosyl residue. *See, e.g.*, col. 22, lines 40-45. Trinh discloses compositions having a mixture of cyclodextrins, such as a mixture of hydroxypropyl alpha-cyclodextrin and hydroxypropyl beta-cyclodextrin, and/or a mixture of methylated alpha-cyclodextrin and methylated beta-cyclodextrin. *See, e.g.*, Trinh, col. 5, lines 35-48. However, claim 11 discloses a composition for capturing unwanted molecules, said composition comprising a cyclodextrin mixture comprising a cyclodextrin derivative having an average degree of substitution greater than that of low-degree of substitution cyclodextrin derivative, and either a low-degree of substitution cyclodextrin derivative or a non-derivatized cyclodextrin, wherein the cyclodextrin mixture effectively has an average degree of substitution equal to that of a low-degree of substitution cyclodextrin derivative. Trinh and Pitha, individually or in combination, do not disclose or even suggest a cyclodextrin mixture wherein the cyclodextrin mixture effectively has an average degree of substitution equal to that of a low-degree of substitution cyclodextrin derivative. Neither Pitha nor Trinh teach or recognize the benefits of using a mixture of cyclodextrins wherein the mixture effectively has an average degree of substitution equal to that of a low degree of substitution cyclodextrin derivative. Further, there would be no motivation to combine Pitha with Trinh. Pitha discloses compositions for pharmaceuticals, cosmetics, the food industry, agriculture, and biotechnology wherein at least 10% of the cyclodextrin moieties are dioxane-substituted. *See, e.g.*, Pitha, col. 5, lines 61-67. Trinh discloses compositions for odor absorption on inanimate surfaces containing uncomplexed cyclodextrin and do not disclose or suggest mixtures of cyclodextrins containing dioxane-substituted cyclodextrins. *See, e.g.*,

Trinh, col. 2, line 65 to col. 3, line 11. Thus, there is no motivation to combine Pitha and Trinh.

Trinh and Pitha, individually or in combination, do not disclose or suggest each and every limitation of the present invention. Further, there is no motivation to combine the disclosure of Trinh with Pitha. Thus, Applicants respectfully submit that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested. No fee is believed to be due for the amendments herein. Should any fee be required, please charge such fee to Procter & Gamble Deposit Account No. 16-2480.

Respectfully submitted,

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Dated: July 23, 2003

Customer Number: 27752